

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LEVEL 3 COMMUNICATIONS, L.L.C. and  
MCI COMMUNICATIONS SERVICES, INC.,  
d/b/a VERIZON BUSINESS,

Plaintiffs,

v.

MARINE BULKHEADING, INC.,

Defendant.

Civil Action No. 1:07-cv-08118-GEL

**PLAINTIFFS' REQUEST FOR  
ADJOURNMENT OF CASE  
MANAGEMENT CONFERENCE**

Plaintiffs, Level 3 Communications, L.L.C. ("Level 3") and MCI Communications Services, Inc., d/b/a Verizon Business ("VzB"), respectfully request that this Court adjourn the Case Management Conference presently scheduled for December 5, 2007, at 4:45 p.m. to December 13, 2007. In support thereof, Level 3 and VzB state:

1. When Level 3 and VzB's counsel, James J. Proszek, received the notice, dated October 30, 2007, regarding the Case Management Conference, Mr. Proszek was already committed to make two presentations on December 5, 2007, at a seminar in Las Vegas, Nevada.

2. There have been no previous requests for an adjournment of the Case Management Conference and the requested adjournment will not affect any other scheduled dates.

3. Mr. Proszek called Jose Lopez in accordance with § 1(D) of the Court's Individual Practices in Civil Cases and was advised that the Court had openings at the end of the day on December 12, 2007 and on December 13, 2007 to reschedule the Case Management Conference.

4. Mr. Proszek is required to be at a Court-ordered settlement conference in federal court in Fresno, California on December 12, 2007. Mr. Proszek is, however, available to appear at the Case Management Conference before this Court on December 13, 2007.

5. Mr. Proszek has contacted Defendant's counsel who has advised that he, too, is available to appear at the Case Management Conference on December 13, 2007.

WHEREFORE, Level 3 and VzB respectfully request the Court adjourn the Case Management Conference presently scheduled at 4:45 p.m. on December 5, 2007, to December 13, 2007.

Dated: November 5, 2007

Respectfully submitted,

s/ James J. Proszek

James J. Proszek, *Pro Hac Vice*

Kimberly R. Schutz, *Pro Hac Vice*

**HALL, ESTILL, HARDWICK, GABLE,  
GOLDEN & NELSON, P.C.**

320 South Boston Avenue, Suite 400

Tulsa, OK 74103-3708

Telephone (918) 594-0400

Facsimile (918) 594-0505

and

Lisa Lombardo [LL-2532]

**GIBBONS PC**

One Pennsylvania Plaza, 37th Floor

New York, NY 10119-3701

Telephone (212) 613-2000

Facsimile (212) 333-5980

**ATTORNEYS FOR PLAINTIFFS**

**LEVEL 3 COMMUNICATIONS, L.L.C. and  
MCI COMMUNICATIONS SERVICES,  
INC., d/b/a VERIZON BUSINESS**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 5th day of November, 2007 the foregoing instrument was electronically transmitted to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrant:

Kirk M. Lyons  
John Werner  
LYONS & FLOOD, LLP  
65 West 36th Street, 7th Floor  
New York, NY 10018

s/ James J. Proszek

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